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APPLICATION NO.	FII	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,782	802,782 03/18/2004		Ryuji Imai	Q80544 5069	
23373	7590	06/07/2005		EXAMINER	
SUGHRUE			LE, THAO X		
2100 PENNSYLVANIA AVENUE, N.W. SUITE 800				ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037				2814	

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Office Action Summan	10/802,782	IMAI ET AL.				
Office Action Summary	Examiner	Art Unit				
	Thao X. Le	2814				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the co	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	6(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONED	will be considered timely. he mailing date of this communication. 0 (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 24 Ju						
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closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.				
Disposition of Claims						
4) ⊠ Claim(s) 1-27 is/are pending in the application. 4a) Of the above claim(s) is/are withdray 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ⊠ Claim(s) 1-27 are subject to restriction and/or expressions.	vn from consideration.					
Application Papers						
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correct and the oath or declaration is objected to by the Examine	epted or b) objected to by the Eddrawing(s) be held in abeyance. See on is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119	•					
12) Acknowledgment is made of a claim for foreign  a) All b) Some * c) None of:  1. Certified copies of the priority documents  2. Certified copies of the priority documents  3. Copies of the certified copies of the priority application from the International Bureau  * See the attached detailed Office action for a list	s have been received. s have been received in Application ity documents have been receive I (PCT Rule 17.2(a)).	on No d in this National Stage				
Attachment(s)						
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)  Paper No(s)/Mail Date						
<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> <li>Paper No(s)/Mail Date</li> </ul>		atent Application (PTO-152)				
S. Patent and Trademark Office						

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-26, drawn to a semiconductor device, classified in class 257, subclass 678+, 734+.
  - II. Claims 26-27, drawn to a method of making a semiconductor device, classified in class 438, subclass 106, 121, 411, 461, 611.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions Group i and Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make other and materially different product. For instant, a ceramic green body is not required in the device claims.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Art Unit: 2814

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao X. Le whose telephone number is (571) 272-1708. The examiner can normally be reached on M-F from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael M. Fahmy can be reached on (571) 272 -1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thao X. Le Patent Examiner 03 June 2005